

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 16 2013

Wayne Lee Snell AKA Blackbear

Plaintiff

vs.

SHERIFF HARLEN MOORE
UNDER SHERIFF CARL SLOAN
DELAWARE COUNTY OKLAHOMA
SHERIFFS DEPARTMENT

Defendant(s)

Case Number:

(To be supplied by Court Clerk)

**Phil Lombardi, Clerk
U.S. DISTRICT COURT****13 CV - 789 TCK - FHM**

Current Location (including Address) of Confinement :

Wayne Snell AKA Blackbear
P.O. Box 4746
Jay OK 74346

Prisoner Number:

434935

CIVIL RIGHTS COMPLAINT PURSUANT TO 42 U.S.C. § 1983**A. Parties**

1) WAYNE SNELL, BLACKBEAR is a citizen of Oklahoma who presently resides at
(Plaintiff) (State)

Delaware County Jail P.O. Box 4746 Jay OK 74346
(Mailing address or place of confinement)

2) Defendant HARLEN MOORE is a citizen of Jay, Oklahoma,
(Name of first defendant) (City, State)
and is employed as Sheriff of Delaware County.
(Position and title, if any)

At the time the claim(s) alleged in this complaint arose, was this defendant acting under the color of state law? Yes No ?

If your answer is yes, briefly explain: _____

3) Defendant CARL SLOAN is a citizen of Jay Oklahoma,
(Name of second defendant) (City, State)
and is employed as Under Sheriff of Delaware County.
(Position and title, if any)

At the time the claim(s) alleged in this complaint arose, was this defendant acting under the color of state law? Yes No

If your answer is yes, briefly explain: _____

[You may attach one additional page (8 ½" x 11") to furnish the above information for additional defendants.]

B. Jurisdiction

- 1) Jurisdiction is asserted pursuant to: (Check one)

42 U.S.C. §1983 (applies to state prisoners)

Bivens v Six Unknown Named Agents of Fed. Bureau of Narcotics
403 U.S. 388 (1971) and 28 U.S.C. §1331 (applies to fed. prisoners)

- 2) Jurisdiction also is invoked pursuant to 28 U.S.C. §1343(a)(3). (If you wish to assert jurisdiction under different or additional statutes, you may list them below.)

N/A

N/A

C. Nature of Case

- 1) Briefly state the background of your case. Had a slip in fall in Delaware County jail
shower, and tore tendons in left leg. I am filing this due to denied medical
attention cause the Delaware County Jail wont give me serious medical Attention

D. Cause of Action

- 1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: [If necessary, you may attach up to two additional pages (8½" x 11") to explain any allegation or to list additional supporting facts.]

a) (1) Count I: Failed to seek more medical attention after
Doctor said it needs more serious medical attention (surgery)

(2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

I Wayne Snell (SKABlckbear was getting out of shower and slipped
and tore tendons on 2/25/13 or 2/24/13 in Delaware County Jail
Billy William Kidd was working and alerted jail administrator

b) (1) Count II: _____

N/A

-
- (2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

N/A
N/A
N/A

- c) (1) Count III: _____

N/A
N/A

- (2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

N/A
N/A
N/A

E. Request for Relief

- 1) I believe that I am entitled to the following relief: Hospital Bills, Pain and Suffering
Cost wages, mental and physical distress 15million dollars
wages lost for not being able to work for rest of my life.

Original Signature of Attorney (if any)

John Bullsey Blackbear
Original Signature of Plaintiff

Attorney's full address and telephone number

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares (or certifies, verifies, or states) under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. §1746. 18 U.S.C. §1621.

Executed at DELAWARE COUNTY JAIL JAY OKLAHOMA on 12/10/13.
(Location) (Date)

Way-Sallaka Blackbear
(Original Signature of Plaintiff)

Wayne Nell
AKA Blackbar.

(CAUSE OF ACTION) (Supporting Facts.)

1) (2) Bobby Hartley and Under Sheriff Carl Sloan. I was then escorted by undersheriff Carl Sloan to a medical center in Grove Oklahoma, where I was told I had some major damage, and needed more severe medical attention. I was then escorted back to Delaware County jail where the jail administrator Bobby Hartley and Carl Sloan told me that I was gonna be O.R. Bonded out. On 2/25/13 I received no more medical attention and was let limp right out the door, and limped in agonizing pain all the way home in the rain to Kansas Oklahoma.

Way-Sall

CIVIL RIGHTS COMPLAINT PURSUANT TO 42 USC § 1983
DELAWARE COUNTY OKLAHOMA SHERIFFS DEPARTMENT

Wayne Shell

Filed grievance about my leg on 11/20/13
gave to Fromyer and received copy during church.

11/22/13 asked for lawyers phone numbers and
asked to make personal call to them before lunch
and Sgt Heather said per sheriff and undersheriff
on phone outside in there booth unless it pertained
to my case I was in here on, after I said it was
personal and about medical problems.

Wayne Snell aka Blackbear was released on O.R. bond
on 2/25/13 due to slip in shower causing to tear
tendons in left leg, was taken to medical center
in Grove OKla. and was told it had major damage and
needed surgery. I received no more medical attention
and was O.R. bonded out and let limp and walk out
the door, had to walk home no ride.

Wayne Snell aka Blackbear was seen by Delaware County
issued doctor on 11/14/13 and also was told I had
major tear and needs surgery nothing further
was discussed. also was told by doctor after asked
for some strong medication that he would do it
and shouldn't have been a dumbass and got
myself in here where I can't receive that kind
of help. Sgt Heather and Amber was in booth
when he said it

I Wayne Snell aka Blackbear brought my medical problem of torn tendons in left leg to Sheriff Harlen Moore and under sheriff Carl Sloans attention during shakedown and bed exchange on 11/13/13 between the hours of 6:00pm and 10:30pm where all the inmates where on the wall and heard me tell him and all he, Harlen Moore and Sloan could say is I should have got it fixed before I came in here.

Way-Bull 1/12/11/13

DELAWARE COUNTY SHERIFF'S DEPT.GENERAL GRIEVANCE REPORT
(PRINT OR WRITE CLEARLY)Delaware County Medical Attention.11/19/13

NAME OF PERSON OR AREA COMPLAINED ABOUT:

DATE AND TIME:

Delaware County wont give me the correct medical Attention
ALLEGED VIOLATION OR CAUSE OF COMPLAINT:11/14/13

DATE AND TIME OF INCIDENT:

Delaware County Jail

LOCATION OF OCCURENCE:

Wayne Snell, Black bear P.O. Box 644 Kansas OK 74347

YOUR NAME:

ADDRESS:

PHONE NO.

N/A

IF SO WHEN

REASON

HAVE YOU FILED ON THIS
PERSON OR AREA BEFORE: YES NOWITNESS: Josh HawleyWITNESS: Stephan BagbyNathaniel J. Sarkis 99510 docWITNESS: Marvin TinninWITNESS: Chris Reiche

EXPLAIN IN DETAIL

I have all three major tendons torn in left knee,
and am not able to get the right medical attention
for it, or the right pain medications. I brought it to
Sheriff Harlen Moores Attention on 11/13/13but all he could say is I should have got it fixed
on the outside. I had appointments but couldn't
make them do to no ride. I had scheduled MRI and
to see a specialist in Tulsa. I would like to get those
rescheduled and to be seen by a current Doctor where I
can receive help, and surgery, and correct Pain medications

Wayne Snell
P.O. Box 4966
Tay OK. 74346

postmarked
12/13/13-a

INMATE MAIL

Legal
Mail

13 CV - 789 TCK - FHM

RECEIVED

DEC 16 2013

Phil Lombardi, Clerk
U.S. DISTRICT COURT

Clerk United States District Court
Northern District of Oklahoma
333 West Fourth Street, Room 411
Tulsa Oklahoma 74103-3819

INMATE MAIL

